

**STATE OF NEW MEXICO
BEFORE THE SECRETARY OF ENVIRONMENT**

**NEW MEXICO ENVIRONMENT
DEPARTMENT RESOURCE PROTECTION DIVISION,**

Complainant,

v.

No. SWB 20-001 (CO)

BL SANTA FE, LLC,

and

HRV HOTEL PARTNERS, LLC,

Respondents.

**NEW MEXICO ENVIRONMENT DEPARTMENT
RESOURCE PROTECTION DIVISION'S NOTICE OF EXPECTED WITNESSES**

Comes now the New Mexico Environment Department Resource Protection Division ("Department") and submits its Notice of Expected Witnesses pursuant to 20.1.5.300.B NMAC and the Amended Scheduling Order dated November 23, 2021.

Department's Expected Witnesses

1. The Department expects to call Mr. Peter J. Garcia, Sr., former Enforcement Officer for the Department's Solid Waste Bureau. Mr. Garcia will testify as to the inspection conducted in response to the allegations of illegal dumping by Bishops Lodge at issue in this matter. Mr. Garcia will also testify as to the Department's observations and conclusions resulting from that inspection, the development of the civil penalties assessed, and general matters pertaining to the Department's solid waste oversight.
2. The Department expects to call Ms. Teri Monaghan, Enforcement Section Manager for the Department's Solid Waste Bureau. Ms. Monaghan will testify as to solid waste program generally. Mr. Monaghan will also testify as to the Department's observations and conclusions resulting from that inspection, and the development of the civil penalties assessed.

3. The Department expects to call Mr. Adam Duran, Environment Director for the Pueblo of Pojoaque. Mr. Duran will testify as to the alleged illegal dumping by Bishops Lodge at the Pueblo, Pueblo law regarding disposal of solid waste, and the ongoing harm to the Pueblo.
4. The Department may additionally call Mr. Randy Vigil, Public Works Director for the Pueblo of Pojoaque. Mr. Vigil may testify regarding the authority of the Public Works Director as well as proper solid waste disposal at the Pueblo.

Mr. Garcia is currently located at the Department's Hazardous Waste Bureau, 2905 Rodeo Park Drive, Building 1, Santa Fe, New Mexico 87505. Ms. Monaghan is located at the Department's Solid Waste Bureau, 121 Tijeras Ave. NE, Suite 1000, Albuquerque, New Mexico 87102. Mr. Duran and Mr. Vigil are located at 39 Camino del Rincon, Santa Fe, New Mexico 87506. The Department reserves the right to call additional witness in rebuttal to any additional evidence presented.

Respectfully Submitted,

NEW MEXICO ENVIRONMENT DEPARTMENT

Christopher N. Atencio
Assistant General Counsel
Office of General Counsel
121 Tijeras Avenue NE, Ste. 1000
Albuquerque, NM 87102
Telephone: (505) 469-4171
christopher.atencio@state.nm.us

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *New Mexico Environment Department Resource Protection Division's Notice of Expected Witnesses* was mailed electronically on the following contacts of record on

December 21, 2021:

Gregory J. Marshall
Snell & Wilmer L.L.P.
One Arizona Center
400 E. Van Buren
Phoenix, Arizona 85004-2202
Telephone: (602) 382-6514
Email: gmarshall@swlaw.com

Counsel for Respondent BL Santa Fe, LLC

Richard Holland
Holland Development Company
(fka HRV Hotel Partners, LLC)
112 West San Francisco, Suite 310
Santa Fe, NM 87501
Email: richard@hollanddevco.com

Michael Sheppard
Holland Development Company
(fka HRV Hotel Partners, LLC)
112 West San Francisco, Suite 310
Santa Fe, NM 87501
Email: michael@hollanddevco.com

Madai Corral
P.O. Box 5469
Santa Fe, NM 87502
Phone: (505) 490-5803
Email: Madai.corral@state.nm.us

Hearing Clerk



Christopher N. Atencio